IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION

CIVIL NO. 1:08CV534

CHARLES V. PENLEY,)
Plaintiff,))
Vs.	ORDER
MICHAEL J. ASTRUE, Commissioner of Social Security,)))
Defendant.))

THIS MATTER is before the Court on Defendant's motion for the removal of certain unrelated documents from the Administrative Record.

According to the Defendant's motion, pages 81 and 82 of the Administrative Record filed herein are unrelated to this Plaintiff and Defendant requests that the Court direct the Clerk to remove the subject pages from the Record. Defendant also advises that not only has Plaintiff's counsel consented to the motion, but has removed and destroyed these pages from his copy of the Record.

IT IS, THEREFORE, ORDERED that the Defendant's motion is

ALLOWED, and the Clerk is directed to remove pages 81 and 82 from the

Administrative Record filed herein on February 18, 2009, and to destroy such pages by shredding or other appropriate means.

Signed: May 12, 2009

Lacy H. Thornburg

United States District Judge